

Notice of Allowability

Application No.

10/523,779

Examiner

David D. Le

Applicant(s)

KLUGE, MARC

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment after final, filed on 30 July 2007.
2. ☒ The allowed claim(s) is/are 12, 13, 16-19 and 21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
- Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This is the third Office action on the merits of Application No. 10/523,779, filed on 08 February 2005. Claims 12, 13, 16-19 and 21 are pending.

Documents

2. The following documents have been received and filed as part of the patent application:
 - Foreign Priority Document, received on 02/08/05
 - Information Disclosure Statement, received on 02/08/05
 - Replacement Drawings, received on 07/30/07

Drawings

3. The drawings were received on 30 July 2007. These drawings are approved.

Allowable Subject Matter

4. Claims 12, 13, 16-19 and 21 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Claim 12:

The prior art of record fails to show or render obvious a multistage transmission for an internal combustion engine comprising a drive shaft, a driven shaft, a plurality of gearwheels, a plurality of clutches, a plurality of shift forks, a plurality of shifter shafts, a common selector control system, a gearshift control system, and a gate element, as

Art Unit: 3681

recited in claim 12; specifically, wherein the gate element includes at least one guide track, each of the shifter shafts includes a lever idler system, and one end of the lever system is coupled to the gate element and the other end of the lever system is coupled to the corresponding one of the shifter shafts.

Claim 21:

The prior art of record fails to show or render obvious a multistage transmission for an internal combustion engine comprising a drive shaft, a driven shaft, a plurality of gearwheels, a plurality of clutches, a plurality of shift forks, a plurality of shifter shafts, a common selector control system, and a gearshift control system, as recited in claim 20; specifically, wherein a locking shaft is associated with each of the shifter shafts, axially guided via the respective shifter shaft, and has a locking structure for non-selected ones of the shift forks, and the locking shaft includes locking pins that engage in locking grooves of shift plates of the non-selected shift forks.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

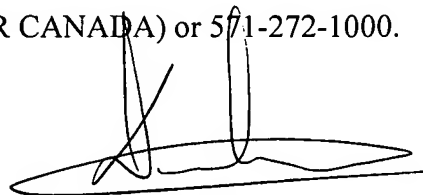
Art Unit: 3681

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Le whose telephone number is 571-272-7092. The examiner can normally be reached on Mon-Fri (0700-1530).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'David D. Le', is written over a horizontal line.

David D. Le
Primary Examiner
Art Unit 3681
08/05/2007

ddl